G R S App Γ IX 4]

1947-48

File No 4 r—47

Previous References

Rel)

Serial Nos 4 5. 6

Later References

Ml 58-48(50.51)

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Rev

Part B for May 48

SUBJECT

Disability to continue as a member of the Municipal Council

K 16440 1.5.48

The D C Kurnool states that the views re-taken by him is Correct

Ry

vol 41-47 (45.46)

5913/2 5714/Ltr

Letter no D'o PR 326 C 4104/47 Dt 1-4-48 from the Dy Commr Mysore Dt, requesting to henchmen if the special meeting of a mc cl is also to be included in the ~~list~~ Calculation of meetings for calculating the absence of a member from the meetings of the Council during four successive months to determine the disability of a member to continue as a Councillor

1) Section 9(1)(c) of the Mysore Municipalities Act 1933 on the subject reads as follows

(c) "not being a salaried servant of the Govt absents himself from the meetings of the mc cl during four successive months except with the leave of the mc cl, provided that no such leave shall be granted in case of absence from the meetings of the mc cl during a period exceeding six successive months"

2) In the above section, meetings whether ordinary or Special have not been stated [illegible]

3) The Law section will also be Consulted if appl, whether the Dy Comr's interpretation that there is no disability incurred as the Section in question does not make any distinction between an ordinary and a Special meeting, is Correct

Rev seen

5724 'Law
5913 Mun

Meetings of municipal councils are usually
open under general and special s 12
of the Municipalities Act when the
special meetings are all municipal
meetings and may be convened
as ordered by s 7(2)(c) referred to by the

Dy Comm

for
S & L Govt

Law Secy)

Ref 8/4 ---------- SSDP

Remarks of the
D C appear on the
comm-

Nursery)
WSC

SK
13/4
Ref 4/4

The D.C will be
informed accordingly

THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 2207
Date

L.S.S

15/4/[illegible]

OK
27/4/[illegible]

Please see
28/4/[illegible]

LT SECRETARY
GOVERNMENT
I 28/4

Submit the draft letter for appl

[illegible]

Ullo
29/4

ML 41-47-46 5913/L

1146) To the Dy Commr, Mysore Bg

ROL 16440 Bg 1-5-48

States that the views taken by him is correct

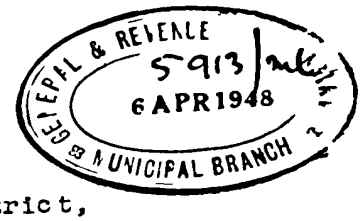
Bg

7/-

S-PR 326 C 4104/47

Office of the Deputy Commissioner,
Mysore Dated 1st April 1948

ml 41-47-45



From

Mir Safdar Hussain, Esq , B A ,
Deputy Commissioner, Mysore District,
MYSORE

To

Syed Abdul Alee , Esq , B A
Secretary to Government, Revenue Department,
Bangalore

Sir,

Disability to continue as a Councillor

I have the honour to state that the President Minor Municipal Council, Nanjangud has reported in his letter No C 84/47 dated 6th March 1948 that Mr N Nagaraj, one of the Municipal Councillors absented himself from attending the Municipal Meetings which were held on 29-11-47, 31-12-47, 30-1-1948 and 29-2-48 and that he attended one Special Meeting held on 31st January 48 The President of the Municipal Council has felt a doubt as to whether the disability of absenting oneself from attending the meetings successively for four months is to be applied to him irrespective of his attending the Special Meeting held on 31-1-1948

Section 9 (2) (c) of the Mysore Minor Municipal Act does not make any distinction between an ordinary monthly meeting and a Special Meeting and it merely states that if any councillor during the term for which he has been elected or appointed not being a salaried servant of Government absents himself from the meetings of the Council during four successive months, etc , he shall be disabled from continuing as a Councillor and his office shall become vacant

I am therefore of opinion that meeting includes a Special meeting also and that as Mr Nagaraj, a Councillor, has attended the Special Meeting on 31-1-1948, it cannot be said that he has absented himself from the meetings of the Municipal Council

p t o

for four successive months, a balance that there is no disability for the concerned person from continuing as a Councillor. I have also intimated the President, Municipal Council, Narasipur accordingly. But, however, I request you to be so good as to clarify this point

1037
14

I have the honour to be
Sir
your most obedient servant,

[signature]

DEPUTY COMMISSIONER,
Mysore District

Appendix F G—11 No 4

SUBJECT

Diary No of letter replied to 5913

General and Revenue Secretariat

( )

the 19

Date of issue 1-5-48

Signed by

List of enclosures

Copied by

Examined by

Section ML

File No 41-47

Serial No 46

No L ~~11439~~ L 16440

To

The Dy Commr, Mysore Dt

Sir,

With reference to your letter No 83 PR 326 C 4104/47 dt 1-4-48 stating that Mr N Narasipur Municipal Councillors of the T Narasipur Municipality absented himself from attending the meetings held on 29-11-47, 31-12-47, 30-1-48 & 29-2-48 but attended the special meeting held on 31-1-48 and requesting to be intimated whether the Councillor has incurred a disability from

Concerning as much, I am
directed to state that as
regards the matters referred to
in the 1st paragraph of the letter
Meetings Section 9 (2) (c) of the Illinois
Metres Act 1933 does not make
any distinction between an ordinary
monthly meeting and a Special
meeting, Your interpretation that
there is no disability for the Councillor
number from Continuing as such
Councillor is correct -

I have the
honour
to be Sir
Your obedt Servt
Rev Secretary
29/4